

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SAID ELMAJZOUN,

Petitioner,

v.

QUENTIN BYRNE, et al.,

Respondents.

Case No. 3:15-cv-00624-ART-CSD

ORDER

Petitioner Said Elmajzoub initiated this federal habeas action on December 28, 2015. (ECF No. 1.) This Court granted Elmajzoub's motion for appointment of counsel and appointed the Federal Public Defender to represent Elmajzoub. (ECF Nos. 8.) This Court then granted Elmajzoub's unopposed motion for a stay and administratively closed this case. (ECF No. 18.) In 2017, this Court granted the Federal Public Defender's request to withdraw from this case and appointed Mark Eibert, Esq. to represent Elmajzoub. (ECF Nos. 22, 23.) On February 3, 2025, this Court granted Mr. Eibert's request to withdraw as counsel due to his retirement and appointed Jean J. Schwartzer, Esq. to represent Elmajzoub. (ECF No. 45.)

Elmajzoub has now moved for Ms. Schwartzer to be replaced, explaining that she has not communicated with him at all since having been appointed. (ECF No. 46.) Ms. Schwartzer responded, explaining that (1) Elmajzoub apparently never received the letter she previously sent to him, (2) she has since sent a certified letter to Elmajzoub, (3) she will be requesting an attorney call with Elmajzoub soon, (4) she has conferred with Elmajzoub's prior federal habeas counsel, his state habeas counsel, and his state appellate habeas counsel, (5) she has commenced reviewing Elmajzoub's file for this case, and (6) she has been monitoring Elmajzoub's state habeas proceedings to ensure that she will timely

1 move to reopen this action at the appropriate time. (ECF No. 47.) Given Ms.  
2 Schwartzer's representations, this Court denies Elmajzoub's motion.

3 It is therefore ordered that the motion [ECF No. 46] is denied.

4 DATED THIS 2nd day of April 2025.

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7 ANNE R. TRAUM  
8 UNITED STATES DISTRICT JUDGE  
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